

Burlington Development Review Board

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BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, March 17, 2015

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

Minutes

Board members present: Austin Hart, Chair; Jonathan Stevens, Jim Drummond, Brad Rabinowitz, Israel Smith, A. J. LaRosa, Alexandra Zipparo.

Staff present: Ken Lerner, Mary O'Neil

I. **Agenda** – No changes.

II. **Communications** - None

III. **Minutes** – In packet for DRB meeting 3.4.2015. Board is advised to review and comment at next deliberative.

IV. **Certificate of Appropriateness**

1. **15-0803CA: 20 PINE ST (D, Ward 3) CCTA / Cathedral of the Immaculate Conception Parish Charitable Trust**

Curbing and pavement within an 8' wide easement along western edge of St. Paul Street right-of-way (Project Manager: Mary O'Neil)

Austin Hart recused from this review.

This item had been on Consent Agenda. Brad Rabinowitz has questions – so Jonathan Stevens, Vice Chair opens the hearing. Invites applicant to come forward.

Project Manager Stephen Carlson sworn in by Jonathan Stevens.

Steve Carlson speaks on behalf of CCTA.

Brad Rabinowitz – Some concern about taking property away from the Cathedral, landscaping part of it. Plan does not show trees that are there. A fence is being proposed, but not part of this application.

Steve Carlson – the fence is a safety issue for us. The roadway will be counter to normal travel. We proposed a fence because we don't want people on our platform running across the street to the church property to have a cigarette.

Brad Rabinowitz – No sidewalk?

Steve Carlson – It will become the sidewalk.

Jonathan Stevens – Which side of the street will have the platform?

Steve Carlson – the center of the street. Small building on the south end.

Brad Rabinowitz – What kind of fence?

Steve Carlson – 6', black aluminum fence. Would you like to see it?

Brad Rabinowitz – yes. You are changing what is a beautiful little area. We have no jurisdiction over anything else. The fence is a rumor at this point.

Steve Carlson – Not part of this application. We understood our application for a fence will be handled administratively. Not very imposing.

Brad Rabinowitz – This is a very attractive fence. I hope it gets approved. How close to the curb is the fence?

Steve Carlson – There is a 2' distance from the curb. So about 18" from the curb.

Brad Rabinowitz – eliminating the sidewalk, eliminating the diagonal sidewalk.

Steve Carlson – It will go nowhere.

Jonathan Stevens – Will there be structures on the platform?

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Steve Carlson – There will be a canopy over it, plus a little bit beyond that to cover the doors of the buses when people disembark. Four or five windscreens on the platform. If windy, somebody can stand on the east side and be protected.

Jim Drummond – How much are you widening the sidewalk?

Steve Carlson – 8' easement.

Jim Drummond – the church is losing trees?

Steve Carlson – the trees are within the public ROW. We will be doing pruning, re-planting missing trees, aerate the soil, add plant and animal fiber; doing extensive landscape restoration.

Jim Drummond – If you wanted to put a sidewalk on the west side, you would lose another row of trees?

Steve Carlson – It would be very difficult.

Jim Drummond – you are creating a very closed zone. There is nothing connecting these pockets but grass. I have walked around these, and people sleep here. By not having a sidewalk, it is making it more private.

Steve Carlson – the intent is to cross the sidewalk, use the center platform. It will be covered, have snowmelt, won't be slippery. A far better alternative.

Jim Drummond – it feels to me that the landscape area on the east side of the cathedral will be less passively supervised; behind a big fence and no pedestrian connection. Less easy to know what was going on in there?

Steve Carlson – the counter argument is that there will be busses on the other side of that fence until midnight. People on the platform will be observing. It will be well observed; not as private as it might seem.

Jonathan Stevens – I wish I had driven past this site. How will people exit the state office building?

Steve Carlson – There will be a sidewalk on the east side. Vehicular traffic will come south on the east side, can continue on Cherry Street.

Alexandra Zipparo – that side of the state office building has no entrance. There is only a garage entrance.

Jim Drummond – the east side is just for cars, the west side for busses?

Steve Carlson – east side is south bound; west side is north bound.

Ali Zipparo – Is there only going to be pick-up and drop-off at this location?

Steve Carlson – east and west of St. Paul, north side of Pearl.

Ali Zipparo – Asks about working with other entities.

Steve Carlson – we have had extensive conversations about it with the state.

Ali Zipparo – Are you addressing landscaping for this easement site only, or all the landscaping on the church property?

Steve Carlson – Yes, the entire property.

No one in the audience to give testimony on this. Jonathan Stevens closes the public hearing on this item at 5:16 pm.

V. Sketch Plan

1. 15-0810SP; 10 University PI (I, Ward 1) UVM / Redstone & American Campus Communities

Sketch plan review of proposed undergraduate student housing on Central Campus (Project Manager: Mary O'Neil)

Austin Hart not participating.

Lani Ravin, Erik Hoekstra, Bill Nedde, Tyler Scott of Scott and Partners,, Keith Wagner of Wagner Hodgson, Adam XXX, Gail Henderson King of White and Burke.

Lani and Erik do presentation for Sketch Plan review of first year housing; proposed in partnership with Redstone and American Campus Communities.

Erik Hoekstra goes through modeling images. Brad Rabinowitz asks for orientation, identification with existing buildings. Some images have only proposed or approved buildings (STEM.)

Erik Hoekstra – There aren't a lot of existing buildings that this plan relates to. You have Converse, which is up hill, up gradient from this site, which is in a depressed area. Converse will stand much taller than this. Most of the existing buildings are a fair distance from this building.

Jim Drummond – What about the new Fletcher Allen building?

Erik Hoekstra – I don't know, hard question. In general, it is higher.

Brad Rabinowitz – we want elevation numbers, to know what they are. What is Bailey Howe? What is the base elevation of Converse?

Jonathan Stevens – That is why we are at Sketch Plan.

Jim Drummond – What about the grove of trees. They appear to be in rows.

Keith Wagner, landscape architect.

Jonathan Stevens – we are not under oath. Please state your name and who are you working with.

Keith Wagner – Each tree has been surveyed.

Jim Drummond – not getting "nipped off?"

Keith Wagner – extend it. Honey Locust on the east side. A complete box of Honey Locust.

Jonathan Stevens – Have you read staff notes? Staff raises the question about the view corridor of Converse. I have a question for staff. I can't tell from staff notes where you would be standing to get a view. I drove there and could not see Converse.

Mary O'Neil – I wonder how you could drive to this site?

Jonathan Stevens – I drove to the Royal Tyler Theatre, got out, walked around. Could not find Converse.

Mary O'Neil – view eastward, across the quad. From the west toward the east. Converse is terminus view.

Jonathan Stevens – asks to see the site plan.

Erik Hoekstra provides this on the screen.

Jonathan Stevens – who is going to own these buildings?

Erik Hoekstra – on university lands. Ground lease to Redstone, and our partners American Campus Communities. The difference with Redstone Lofts, we lease the land, own the building, deal with day to day operations, including tenant relations. With this project, first year students, UVM Res life wants to have a high level of contact with that use. We will own the facility, maintain the capital improvements. But UVM Res life will deal with all the day to day interaction with residents.

Jonathan Stevens – our jurisdiction on matters that involve certain kinds of institution is limited by statute. A private developer is not one of those institutions. I am not arguing with you. We have to make a decision about how broad the scope of review is, based on this information.

Erik Hoekstra – staff will concur. Not really who is the developer. The project is within the Central Campus overlay. It doesn't count.

Ken Lerner – This is an interesting question. You may wish to ask your attorney. The statute says "State or community owned and operated institutions." An attorney could clarify.

Jonathan Stevens – I am thinking of the view corridor of Converse. Under Historic Preservation, we could not have an opinion.

Erik Hoekstra – Staff is pointing out, even with this statute exemption, there is review of views of public places and landmarks. Are any of these places public places or public spaces? That is a question.

Jonathan Stevens – that is a question we should consider.

Mary O'Neil – points out the standards that are relevant.

Jonathan Stevens – is University land public?

Erik Hoekstra – that is the essential question.

Brad Rabinowitz – the view that is being discussed crosses the hospital land. That is not considered public. May not be relevant as hospital land part of that corridor.

Erik Hoekstra presents further perspectives.

Jim Drummond – On Axis with STEM?

Erik Hoekstra – a little off, but yes.

Brad Rabinowitz – the seven story building will be on that axis...partially.

Erik Hoekstra – Yes.

Jim Drummond asks about the walkway, an off-set.

Keith Wagner – it will actually jog further north, when completed. How you will be a pedestrian through there, you will be further north than the photograph shows.

Erik Hoekstra – it really is only when you standing between Buckham and Wills that you get that view of Converse. You can't see it from behind the Fleming Museum.

Jim Drummond – but you will see it when those dorms are town down.

Erik Hoekstra – That area is identified in Master Plan documents as a potential place for future university buildings.

Jim Drummond – I don't really get this. This is kind of a backwater area, not very lively.

Erik Hoekstra – There was a building here; it was taken down. Not the main green. That is on University Place. This will add 308 new beds to the campus; fairly central. From a land use perspective, building tall, dense building is the right idea. If you don't like the idea of buildings here, then where? That's where the conversation goes. There are a lot of historic buildings that people don't want to see changed. We have tried to enhance this green space. This Green Mountain Walkway will create a new lawn area, a different type of open space. When you look at the footprint of these buildings versus nothing, we are not taking up that much land.

Brad Rabinowitz – University trying to create areas for us – the contrast with the hospital that is a non-public area – how nice to see that kind of landscaping creep onto the hospital land.

Lani Ravin – the university does not need to address historic preservation under city's regulations, but under Act 250. We hired a historic preservation consultant. This project will address historic preservation issues both under previous reports and this project. We are not ignoring it.

Jim Drummond – you are adding 300+ beds. What about the total number of students. Increasing also?

Lani Ravin – No.

Brad Rabinowitz – students off campus – There is some language about transportation parking plan. Will students be bused to other locations on campus>

Lani Ravin – There will be transportation from Quarry Hill.

Brad Rabinowitz – From the Sheraton?

Lani Ravin – I will ask.

Ali Zipparo – I want to ask about other buildings on campus. Are they historic?

Erik Hoekstra – absolutely.

Ali Zipparo – That corner has a gorgeous view. What about views from University Place?

Erik Hoekstra – You don't really see it –

Ali Zipparo –Yes, you can see it from that corner. Will you no longer be able to see that view? On the corner in between the new development....

Erik Hoekstra point to the map. Ali agrees to a spot on the Quad.

Erik Hoekstra – I have not experienced them from that vantage point. Even if I could see it, there are newer additions on the back of other buildings. Maybe if you are up, in one of the buildings looking down....

Ali Zipparo – no. A beautiful view. I want to mention development pressure and infill. What is the logic about relieving pressure from the neighborhoods?

Erik Hoekstra – this project is not intended to relieve pressure in the neighborhoods. This is intended to relieve pressure on the campus. A “de-densification” of existing dorms – remove students from triples that were not intended to house three students.

Ali Zipparo – and the dining hall?

Erik Hoekstra – Anyone can come in and pay with cash.

Lani Ravin – I would point out that the major view of Converse Hall is from the East, not from the west.

Jonathan Stevens – Our question is from a public place.

Lani Ravin – but we are working with historic preservation consultant, who says the view is from the east, not the west.

Sharon Bushor, City Councilor, Ward 1. Applicant has made presentations to Ward 1 and 8 to make presentations. One thing identified, there is a parking area with Shoeboxes. We were told they would be replaced. More people living here. First year students are not allowed to bring cars on campus. We know many students bring them, and plop them around the neighborhoods. How many people are offered a waiver to have a car? When you double the amount of people there, are 84 spaces sufficient for that site? Parking is an issue near and dear to the heart of people who live in the city. The other concern is the Green Mountain Walkway. More collaboration with the city. We like the students moving internally. The issue for us is at Main Street, there is a crossing. At Colchester Avenue, there is not a good crossway. It is down, where Trinity Campus is. More study or more

emphasis on how to get people safely from one place to the next. Internal enhancements wonderful for everybody. There is a little bit of an irony here; when the hospital moved ahead with their renovation, they acted under the information that Converse was a jewel; a lot of history, a lot of folklore, incredibly interesting. It was important not to cast shadows on it, not surround it. As I look at these pictures that are presented, I am worried about this new building. (She asks Erik to post image.) If indeed it appeared that the new building is within the visual corridor, possible to inch it over if it was a visual obstruction. I don't know if it is necessary or not. When Brad asked his question, I thought it was a visual obstruction. My last item: If UVM is going forward with Sketch Plan, Fletcher Allen has construction, UVM has other projects, has the city looked at these cumulatively for traffic, impacts to the city? In the past, cumulative impact has been considered. I hope the DRB is considering this. I know there will be some overlap. I want to make sure we don't end up strangling the end of the city. Ambulances will have to access the site. Overall, I want to end on a positive note. This is exactly what we had hoped UVM would do. We worked years ago to give UVM the ability to build to greater height. I would rather go up than sprawl. Green space is shrinking a little bit. I work at the hospital, I live on East Avenue. A lot of people value that green space. I am pleased with the enhancements. We all are.

A.J. LaRosa – asks Sharon about cumulative impact of construction?

Sharon Bushor – during development. Also, the technical review team should have addressed all of this – need for city services, run-off. Sometimes when things are looked at in isolation, you miss the big picture. Wastewater, run-off, is all that being looked at cumulatively, not individually.

Jim Drummond – Where is the parking for this?

Erik Hoekstra – points to the map – what is Medical Center, what is UVM. Accounting for in either the UVM parking plan, or hospital parking plan. When we go forward with an application, we will address how this conforms to the Joint Institutional Parking Management Plan.

Jim Drummond – Is that CATMA?

Erik Hoekstra – CATMA is part of that. We believe this project is included within that planning. We are working with RSG. Also working with us and the medical center about site access, including STEM project. We have a very detailed logistics plan, coordinated with both institutions. For this project, all construction traffic will come from Main Street. None of this traffic will come from the other side, Colchester Avenue. We are talking a few seconds of traffic. Only a handful of trucks certain times of day and certain times of construction. We have gone to Technical Review, various pieces of the Department of Public Works. Fire Marshal concerned about vehicle access during all stages of construction. Run-off, erosion control; we have to put up a surety, a bond to assure compliance. The same thing with the state. All of these things are looked at. They may not be addressed in detail in a public forum, but they are relevant in a very technical way. The crossing on Colchester Avenue, we know it is an issue. When traffic lights start blinking, there is no way to push a button and initiate a red light to cross. We brought this up at Technical Review. Hopefully we will see some traction on that. We want residents to know that public works will address this.

Ken Lerner – We found there are no dining facilities at Trinity. This is critical, how the Green Mountain Walkway will move students across campus.

Erik Hoekstra – A sense of the timeline: UVM has selected our development team. Next week we plan on submitting our full COA application. We will get back before the Conservation Board, the DAB, before you by early May. Our state level permitting is on-going and moving in parallel with this process so we can roll into Act 250. Our goal is to start construction October 2015, student move-in Fall 2017.

Ken Lerner – The COA process beginning next week: We need to know what we are reviewing here. We need an opinion from your attorney, what your application will address.

Jonathan Stevens – a copy of the statute, has to do with who OWNS the project. It is not as clear as one entity, one owner. I would like you to state the nature of Redstone's ownership, UVM's ownership.

Brad Rabinowitz – asks about previous UVM application, lot coverage issue.

Ken Lerner – This is clearer. Core Campus.

A.J. LaRosa – I would ask that that analysis come from our side.

Jonathan Stevens – What issue?

A.J. LaRosa – Ken suggested the applicant's counsel provide the opinion. I think it would be more appropriate for our representative provide a legal opinion.

Jonathan Stevens - If you want to submit an opinion, we will consider it.
Erik Hoekstra – There is university counsel involved, and we will wrap this into it.
Closes Sketch Plan Review, 6:18 pm.

VI. Other Business None.

VII. Adjournment 6:19 pm.

Deliberative for the Diocesan Property immediately after DRB agenda.